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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/995,726	11/29/2001	Andrew William Hull	PN01002AA/10-34	1851

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EXAMINER	
LE, LANA N	

ART UNIT	PAPER NUMBER
2685	

DATE MAILED: 10/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/995,726	HULL, ANDREW WILLIAM	
	Examiner	Art Unit	
	Lana N. Le	2685	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *31 August 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1-8 and 10 are rejected under 35 U.S.C. 102(a) as being anticipated by Sallinen et al (WO01/06,799A1).

Regarding claim 1, Sallinen et al disclose a method of connecting service acquisition in a wireless local area network device, the method including the steps of:

determining a parameter (location, time, etc.) that corresponds to a present environment for the WLAN device (page 3, lines 44-62);

comparing said parameter to a predetermined value (predetermined visitor number) to provide a comparison, said predetermined value defining, in part an environment (location) where service for the WLAN device is desirable, the service provided from a second WLAN device (page 5, lines 1-10; page 9, lines 9-17);

analyzing said comparison according to a rule (visitor access requirement) to provide a decision (page 5, lines 1-10; page 9, lines 9-17);

enabling a service acquisition mode when the decision is favorable (allowing connection to a local service if the call attempt meets the visitor access requirement (page 9, lines 9-17); and

foregoing said service acquisition mode when the decision is unfavorable (not authorizing connection to a local service if the call attempt does not meet the visitor access requirement (page 9, lines 9-17).

Regarding claim 2, Sallinen et al disclose the method of claim 1 wherein said step of determining a parameter includes determining a location of the WLAN device (page 3, lines 26-31; page 4, lines 26-29; page 9, line 30 - page 10, line 3).

Regarding claim 3, Sallinen et al disclose the method of claim 2 wherein said determining said location uses one of a cellular zone (location registration within a cell region), a global position system (GPS), and a signal strength measurement (page 6, line 23 – page 7, line 7; page 9, line 30 - page 10, line 3).

Regarding claim 4, Sallinen et al disclose the method of claim 1 wherein determining a time (time at connection attempt) the WLAN device (page 3, lines 26-31; page 4, lines 26-29).

Regarding claim 5, Sallinen et al disclose the method of claim 1 wherein Sallinen et al disclose said step of determining a parameter includes determining a state (identity of a known WLAN device) relevant to the WLAN device (page 3, lines 26-31).

Regarding claim 6, Sallinen et al further disclose the method of claim 5 where the determining the state includes one of detecting a need for service (attempt to acquire service connection) and a reference to a schedule database (HLR, VLR; page 6, line 31 – page 7, line 29).

Regarding claim 7, Sallinen et al disclose the method of claim 1 wherein the step of determining a parameter includes determining a combination (location and/or other information) of location, time, and state for the device (page 3, lines 26-31).

Regarding claim 8, Sallinen et al further disclose the method of claim 1 further including a step of providing the predetermined value (predetermined visitor criterion) for the WLAN device (page 3, lines 26-31).

Regarding claim 10, Sallinen et al further discloses the method of claim 8 wherein providing the predetermined value includes memorizing (within VLR and HLR) one of a location, time, and state when service has been acquired (page 6, line 31 – page 7, line 29).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 9, and 11-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sallinen et al (WO01/06,799A1) in view of Amitay et al (US 5,684,801).

Regarding claim 9, Sallinen et al further discloses the method of claim 8 wherein Sallinen et al do not disclose providing the predetermined value includes programming the WLAN device with one of a location, time, and state. Amitay et al disclose

providing the predetermined value includes programming the WLAN device with one of a location, time, and state (col 4, lines 47-57). It would have been obvious to one of ordinary skill in the art at the time the invention was made to program the WLAN device in order to lessen the need for the network element to calculate the location, time and state of the mobile to provide faster service access.

Regarding claim 11, Sallinen et al disclose a WLAN device arranged and constructed to control service acquisition comprising in combination:

a user input output (I/O) (user interface 1; fig. 1) for interacting with a user;

determining a parameter (location, time, etc.) that corresponds to a present environment for the WLAN device (page 3, lines 26-31).

comparing said parameter to a predetermined value (predetermined visitor number) to provide a comparison, said predetermined value defining, in part an environment (location) where service for the WLAN device is desirable, the service provided from a second WLAN device (page 5, lines 1-10; page 9, lines 9-17);

analyzing said comparison according to a rule (visitor access requirement) to provide a decision (page 5, lines 1-10; page 9, lines 9-17);

enabling a service acquisition mode when the decision is favorable wherein the service acquisition mode facilitates coupling to the second WLAN device (allowing connection to a local service if the call attempt meets the visitor access requirement; page 9, lines 9-17); and

foregoing said service acquisition mode when the decision is unfavorable (not authorizing connection to a local service if the call attempt does not meet the visitor access requirement; page 9, lines 9-17).

However, Sallinen et al do not disclose:

a transceiver for coupling to a second WLAN device;

a controller, couple to said user (I/O) and said transceiver, for deciding whether said transceiver will enter a service acquisition mode thereby coupling to said second WLAN device.

Amitay et al disclose: a transceiver (RF modem 306) for coupling to a second WLAN device (101) (col 4, lines 30-46); a controller (302, 305), couple to said user (I/O) and said transceiver (306), for deciding whether said transceiver will enter a service acquisition mode thereby coupling to said second WLAN device (101) (col 3, line 40 – col 4, line 62). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a transceiver and controller within the WLAN device in order to communicate with the other devices in the local area network and allow the WLAN device to compute information for the WLAN device.

Regarding claim 12, Sallinen et al and Amitay et al disclose the WLAN device of claim 11, wherein Sallinen et al disclose the step of determining a parameter includes determining a location of the WLAN device (page 3, lines 26-31; page 4, lines 26-29; page 9, line 30 - page 10, line 3).

Regarding claim 13, Sallinen et al and Amitay et al disclose the WLAN device of claim 12 wherein Sallinen et al disclose the determining said location uses one of

cellular zone ID (location registration within a cell region), a global position system (GPS), and a signal strength measurement (page 6, line 23 – page 7, line 7; page 9, line 30 - page 10, line 3).

Regarding claim 14, Sallinen et al and Amitay et al the WLAN device of claim 11 wherein Sallinen et al disclose said step of determining a parameter includes determining a time (time at connection attempt) the WLAN device (page 3, lines 26-31; page 4, lines 26-29).

Regarding claim 15, Sallinen et al and Amitay et al disclose the WLAN device of claim 11, wherein Sallinen et al disclose the WLAN device of claim 11 wherein said step of determining a parameter includes determining a state (identity of a known WLAN device) relevant to the WLAN device (page 3, lines 26-31).

Regarding claim 16, Sallinen et al and Amitay et al disclose the WLAN device of claim 15, wherein Sallinen et al disclose the WLAN device of claim 15 wherein said determining said state includes one of detecting a need for service (attempt to acquire service connection) and a reference to a schedule database (HLR, VLR; page 6, line 31 – page 7, line 29).

Regarding claim 17, Sallinen et al and Amitay et al disclose the WLAN device of claim 11, wherein Sallinen et al disclose the WLAN device of claim 11 wherein the step of determining a parameter includes determining a combination (location and/or other information) of location, time, and state for the device (page 3, lines 26-31).

Regarding claim 18, Sallinen et al and Amitay et al disclose the WLAN device of claim 11, wherein Sallinen et al disclose the WLAN device of claim 1 further including a

step of programming said predetermined value (predetermined visitor criterion) for the WLAN device (page 10, line 24 - page 11, line 9).

Regarding claim 19, Sallinen et al and Amitay et al disclose the WLAN device of claim 18, wherein Amitay et al disclose the WLAN device of claim 18 wherein programming said predetermined value includes programming the WLAN device with one of a location, time, and state (page 10, line 24 - page 11, line 9; page 8, line 29 – page 9, line 7).

Regarding claim 20, Sallinen et al and Amitay et al disclose the WLAN device of claim 18 wherein Sallinen et al disclose providing said predetermined value includes memorizing (within VLR and HLR) one of a location, time, and state when service has been acquired (page 6, line 31 – page 7, line 29).

Regarding claim 21, Sallinen et al and Amitay et al disclose the WLAN device of claim 11, wherein Sallinen et al disclose arranged and constructed to operate within one of a Bluetooth, 802.11, and Home RF based wireless WLAN (page 6, lines 16-20).

Response to Arguments

5. Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lana Le whose telephone number is (703) 308-5836. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on (703) 305-4385. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lana Le

September 30, 2005